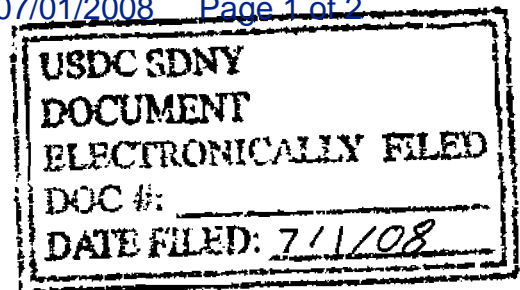


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X

DOVER LIMITED,

Plaintiff,

-against-

ALAIN ASSEMI,

Defendant.

-----X

ORDER

08 Civ. 1009 (DLC)(FM)

FRANK MAAS, United States Magistrate Judge.

A review of the Court's docket sheet indicates that the complaint in this action was filed on January 31, 2008, but there is no proof of service of the summons and complaint on file. As the original summons expired on May 30, 2008, I direct the Clerk of the Court to issue an amended summons in this action. Plaintiff is directed to have the amended summons and complaint served on the defendant on or before September 15, 2008. If service is not made and plaintiff fails to show good cause therefor, the Court will recommend dismissal of this action pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, which provides:

If a defendant is not served within 120 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court

must extend the time for service for an appropriate period. This subdivision (m) does not apply to service in a foreign country under Rule 4(f) or 4(j)(1).

SO ORDERED.

Dated: New York, New York
June 30, 2008


FRANK MAAS
United States Magistrate Judge

Copies to:

Honorable Denise L. Cote
United States District Judge

Thomas M. Mullaney, Esq.
Law Offices of Thomas M. Mullaney
(212) 661-9860 (fax)